

In the Court of Appeals of the State of Alaska

Danny Joseph Nickolai,
Appellant,

v.

State of Alaska,
Appellee.

Court of Appeals No. **A-13796**

Order

AS 9.19.010

Application for Exemption from Filing
Fee

Date of Order: **1/23/2023**

Trial Court Case # **3AN-12-11886CI**

The Appellant, Danny Joseph Nickolai, moves for exemption from filing fee for this appeal. This case, a prisoner's civil appeal against the State of Alaska, is governed by the provisions of AS 9.19.010. Under AS 19.19.010(d), even when a prisoner cannot afford to pay the normal filing fee, the filing fee must be at least 20 percent of (1) the average monthly amount of deposits to the prisoner's account during the preceding six months or (2) the average monthly balance of the prisoner's account during the preceding six months, whichever is greater.

Based on the financial information provided by the Appellant, the greater figure is 20 percent of the average monthly balance in the prisoner's account: \$622.25. Because this amount exceeds the amount of the normal filing fee of \$250.00, Mr. Nickolai's application for exemption from the normal filing fee is **DENIED**.

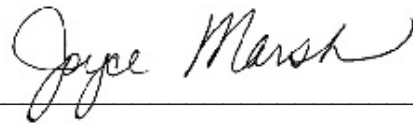
Appellant must pay the filing fee of \$250.00 within 30 days of the date of this order - **2/22/2023**. If Appellant files a motion to extend the time to pay the filing fee and, if there is good reason, the court may grant an extension of this deadline. If

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Appellant fails to pay the filing fee within the time allowed, this appeal may be rejected for filing and this case may be closed.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts

A handwritten signature in cursive script, reading "Joyce Marsh", positioned above a horizontal line.

Joyce Marsh, Deputy Clerk

cc: Danny Joseph Nickolai, 3600 Bette Cato Avenue, Seward, AK 99664

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